



# Indiana INVESTIGATES

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## Did you know...

An article in the National White Collar Crime Center's magazine, the *Informant*, offers some insight into the minds of white collar criminals:

"Psychologists also believe fraudsters rationalize their behavior to justify criminal acts. For example, when they steal from a large corporation, the government, or say, a wealthy investor, they think, 'they can afford it.' This is a way of trivializing the crime so, in their minds, it becomes a victimless crime.

Some crooks also have a warped sense of reality that allows them to believe everyone is basically crooked and therefore it is okay to steal from you. Their mindset is, if they don't get you, you will get them. Some swindlers believe everyone commits certain types of fraud (for example, cheating on your income taxes or padding a business expense account). To them, this is normal and socially acceptable behavior. Rationalizing these acts makes it easy to avoid feelings of guilt. In other words, there is no need for a conscience because everyone does it."

Mathosian, Mark. "Con Artist Psyche: Inside the Mind of a White Collar Crook." *Informant* July-October 2006: 28.

### 2006 Future Meetings:

Indiana Auditors and Investigators Winter Summit  
Monday, December 4, 2006, 9:00-11:00am, ISTA Conference Center  
150 W. Market Street (second floor), Indianapolis, IN 46204

### Other Dates of Interest:

NW3C Economic Crime Summit, October 24-25, 2006  
Providence, RI <http://www.summit.nw3c.org/>

*Does your agency have news or ideas to share? We would love to hear from you.  
Please email Melissa Nees at [mnees@ig.in.gov](mailto:mnees@ig.in.gov).*

# MEETING SUMMARY

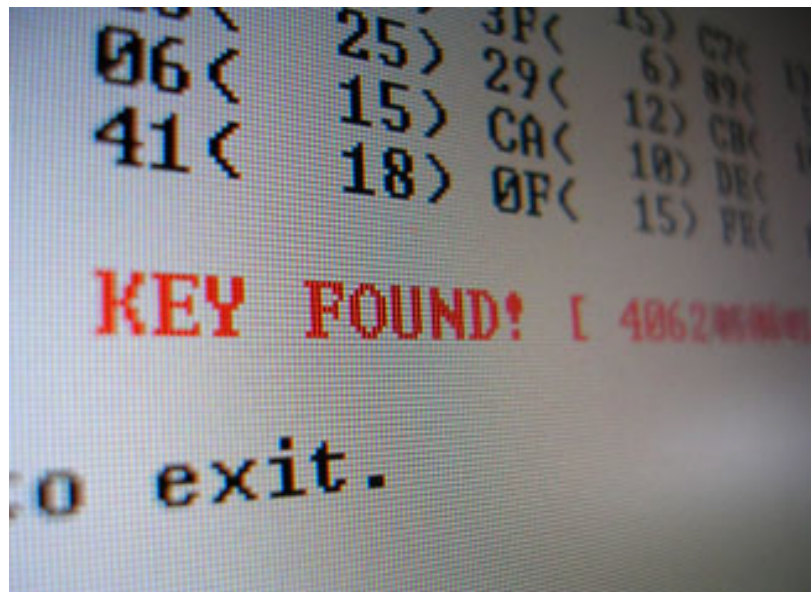
**September 21, 2006**

At our September meeting, Deb Currey, Auditor for FSSA, along with help from Barry Levitt and Teri Byers, gave a presentation and demonstration on their new auditing software, ACL. ACL is audit-specific software for data extraction and analysis, continuous monitoring, and fraud detection. It is ultimately a tool for enhancing the quality, efficiency, and effectiveness of audit processes through the ability to access and analyze all transactional data from many sources or systems.

FSSA is the state's largest agency, not only employing thousands of employees, but also involving over 2,000 contractors (and 10,000 contracts) to help administer the many benefit programs FSSA manages across the state. As the amount of benefit fraud has been continually increasing over the years, the FSSA Audit Division saw a growing need to better manage their data. They put together a team of auditors, along with FSSA employees from the Medicaid, TANF, Food Stamps, and Bureau of Investigation divisions, to pursue the implementation of the ACL software. By having users on the team who have different expertise for different programs, it has greatly helped them as they do cross checking through various systems' data.

ACL has given them several new capabilities they did not previously have, such as the ability to manipulate huge databases without having a size limitation. They can also cross-match data between systems, as long as the systems have similar fields. ACL can read almost any type of database file, allowing the source data to remain intact for complete data quality and integrity.

With the help of ACL, FSSA can now better select audits by identifying trends, pinpointing exceptions, and highlighting potential areas of concern through their continuous monitoring of the data. They can also locate errors and potential fraud by comparing and analyzing files according to end-user criteria. For example, they can search for Food Stamps going to the same address, or compare the state employee database to the CCDF recipient database (child care development fund) to detect potential fraud.



Deb Currey is also looking into ways to share and compare information across state agencies. There is great potential in doing this, but challenges exist. These include confidentiality, HIPAA regulations, the degrees of agency knowledge of their systems, securing ample server space for data storage, as well as simple obtaining and verifying the data to be shared.

It is evident by Deb's presentation that ACL has been a great asset to their auditing and fraud detecting, and they have many more areas to explore.

For more information on ACL, please visit:  
<http://www.acl.com/default.aspx>

# WINTER SUMMIT

## New date and location!

**When:** Monday, December 4th, 2006, 9:00-11:00AM  
**Where:** ISTA Building Conference Center, Second Floor  
150 W. Market St., Indianapolis, IN 46204  
**Who:** State Agency Auditors and Investigators



*Scenes from last year's Summit*

Although plans for the Summit's agenda are still in the works, we would like to have a format similar to last year's Summit. We are pleased to announce the Governor will be attending once again. If you have any suggestions or ideas for the Summit, please let the Inspector General's Office know as soon as possible.

### **Presentations:**

We would like to develop a slide presentation to highlight each agency's accomplishments for the year, but we need your help! You don't have to create the slides; all we need from each agency are 2-3 bulleted highlights (or sentences) describing accomplishments your agency has achieved in 2006. For example, this could be savings to the state, results from an investigation, or even a successful program or software development that has aided your work in some way. Please also send any related pictures, charts, or graphs for visual interest.

**Please send your information to Melissa Nees ([mnees@ig.in.gov](mailto:mnees@ig.in.gov)) by Friday, October 27, 2006.**

We look forward to hearing from you!

# CONDUCTING SUCCESSFUL INTERVIEWS

by Chuck Coffin, Special Agent  
Office of Inspector General

Interviews and interrogations share many similar traits, one of the most common of which can be obtaining information that a person does not want to readily disclose. The major concepts<sup>1</sup> of this article will focus on interviews for two reasons: one, it's the personal interaction method most frequently encountered by state auditors and investigators, and two, interview techniques are easily transferred to the more intensive style, the interrogation.

Of course, suspects do not naturally want to reveal prejudicial information, yet it's also common for various reasons for victims and witnesses to be reluctant to provide comprehensive information about a matter. The successful interview results in a guilty person making an admission or in a witness divulging complete information about the matter at hand. However, investigators frequently do not acquire information critical to successful case resolution. Often the suspect leaves the interview environment without making even the smallest admission, and the witness leaves without making known the slightest detail which may turn out to be a vital link to solving the case. Just how many experienced interviewers leave the interview knowingly outwitted by the suspect or the

reluctant witness? When these situations occur, suspects remain free to continue their unlawful or unethical behavior in state government and persistently strike again and again.

Interviewers, even seasoned veterans, can fail for any number of reasons. Some reasons are foreseeable; some are not. However, all interviewers can increase their success rates by eliminating or minimizing identifiable causes of failure. Once interviewers have identified these factors, they can consider and act upon them to increase their probability of success. These seven major components include but are not limited to:

- preparing for the interview,
- developing persuasive themes and arguments,
- establishing a set plan,
- building a good relationship with the person to be interviewed,
- allowing enough time for the interview,
- selecting the proper interview environment,
- acquiring adequate interview training, and
- understanding that some interviews fail regardless of the amount of effort employed.

While not all inclusive, these factors prove vital for successful interviews.

## Preparation

Preparation stands as the most important factor in conducting a successful interview. Too often, the unplanned approach leads to failure. Factors to consider when preparing interviews include setting and environmental considerations, knowledge of case facts, familiarity with the person's background, and methods of documenting information gained.

*Setting and Environmental Considerations:* Successful





interviews mandate that interviewers, not the person being interviewed, control not only the topic of discussion but also the physical environment.<sup>2</sup> Interviews should not be conducted unless a relative degree of privacy can be guaranteed and environment controlled.

**Case Facts Knowledge:** Understanding case facts remain critical to any interview, but some facts may prove more important than others. Knowledge of how a crime or an incident occurred can be an effective persuasion tool.<sup>3</sup> If an investigator can tell a person how the acts were committed, the person may give reasons for committing the act or for being a witness. However, an interviewer must exercise caution with this technique. In presenting facts to persons, the interviewer must ensure that all information and data prove correct. Otherwise, interviewers will risk losing credibility, which increases the change of interview failure.<sup>4</sup>

**Familiarity with the Person's Background:** Acquiring adequate background information about persons to be interviewed constitutes another critical factor in achieving successful interrogations. Persons' feelings, attitudes, and personal values directly impact the likelihood of successful interviews. Individuals often make the choice to reveal information based on their emotions, and then defend their positions or choices with logic.<sup>5</sup> Therefore, the more an auditor or investigator knows about the person being interviewed, the greater the probability for success. Knowing a person's work position, performance history, personal and professional goals, needs, and conflicts can enable the interviewer to relate to the person in order to persuade the person that telling the truth is in the best interest.

**Documenting the Information Gained:** Interviewers should resolve the critical details of documenting the information gained before the interview. Once the interview begins, the interviewer should not be involved in extraneous activities such as changing audio or video tapes, looking for writing paper, or obtaining official forms. These actions distract the person being interviewed, make them feel less important than the interview process, and greatly decrease the possibility of a successful interview.

## **Developing Persuasive Themes and Arguments**

Lack of themes and arguments to persuade persons to tell the truth stands as a major cause of interview failures. Three main solutions exist for combating this problem. First, experience provides the progressive interviewer with an ever-increasing supply of themes and arguments. Next, preparation allows interviewers to plan their persuasive themes and arguments before the interview. Certain themes and arguments remain universally valuable in conducting successful inter-

views. These concepts include minimizing the incident, decreasing the shamefulness of the act, increasing the guilt feelings, and appealing to the person's hope for a better outcome. However, the interviewer should not make this latter appeal as a promise of leniency. Such a promise violates the person's right to due process of law and may provide the legal basis for excluding the person's admission or statement as evidence.<sup>6</sup> Finally, noting the person's responses during the interview allows the interviewer to convert such responses to appropriate themes and arguments.

## **Establishing a Plan**

A uncomplicated four-step plan can provide investigators with an effective, well-proven method of ensuring interview success.<sup>7</sup> First, interviewers confront the person with the facts and issues surrounding the incidents. The second step involves the interviewer confidently reinforcing the belief that the person being interviewed participated in or has knowledge of the incident at hand. During the third step, the interviewer presents the themes and arguments.

As the core of an interview, themes and arguments originate from the interviewer's experience, observations of the incident, and knowledge of the person being interviewed. The most effective themes have an emotional "hook", convincing the person to cooperate and to tell the truth. Finally, as the person begins to cooperate, the interviewer can fully explore the issues in question in-depth.

## **Building a Good Relationship**

Interviewers can achieve significant success in interviews by ensuring that the person interviewed remains the central focus, surpassing even the interview plan and other components. The most successful interviews are those in which the person has a respect for and trust in the interviewer.<sup>8</sup> Therefore, the

# INTERVIEWING, Continued

interviewer must build a good relationship with the person being interviewed. Anything that appears more important than the person or the relationship between the person and the interviewer may prove detrimental to the successful interview process.

Moreover, interviewers should consider some specific critical personal elements. These components focus on empathizing, not sympathizing, with the person's views of the world and attitudes. Some of the human variables that result in differing viewpoints<sup>9</sup> include differences in gender, culture, values, and economic circumstances, as well as personal needs and goals. As interviewers realize and understand these differences, interviews become more personal and more effective.

## Allowing Enough Time

Interviewers must remember that successful interviews require a certain amount of time to complete. Some information comes quickly, yet much does not. Generally, the chances of obtaining information increase as the interview progresses. The first part of the interview is usually spent in developing rapport, obtaining additional background about the person, and discussing the incident, all the while noting verbal and nonverbal responses.

## Selecting the Proper Environment

Within the usual working environment of state auditors and investigators, only a certain degree of flexibility is available for selecting the proper interview environment. However, one should always try to obtain as close to ideal conditions as possible. A good setting is a small, restricted-access room void of distractions and disruptive noise. A setting free of distractions helps direct the person being interviewed to respond only to the inquiries. It also gives the interviewer a much better opportunity to observe the person's

verbal and nonverbal responses to issues presented without the interference of clocks, pagers, cell phones, intercoms, and co-workers interrupting unexpectedly.

## Acquiring Adequate Training

Interview training greatly increases the probability of success. Formal interview and interrogation training courses that have earned the respect of law enforcement as well as civil investigators and auditors offer valuable training experience. Many interviewers have commented that some time on the job conducting interviews provides a useful background before attending formal classroom training.

## Understanding Some Interviews Will Fail

No interviewer can succeed in every interview. At least 10 percent of suspects will not confess regardless of the interviewer's talent or hard work.<sup>10</sup> Professional, hard-core criminals fall into this category of interview failures because these persons are often repeat offenders and know the interview process and criminal justice system well.<sup>11</sup> Fortunately, state auditors and investigators will very likely never encounter this type of sociopathic personality; however, they should not become discouraged if best efforts do not yield productive results.

In conclusion, interviews fail for any number of reasons, yet addressing and eliminating the interrelated, identifiable causes can prevent or mitigate most failures. Preparing adequately, understanding the interview process, and appreciating the person's needs and values remain paramount in achieving successful interviews. Additionally, sufficient training and ample experience conducting interviews provide specific assistance to interviewers involved in the process. Establishing a well-developed plan and allowing sufficient time for the interview to evolve also prove important factors in ensuring successful interviews. All of these elements require constant attention by interviewers if they are to acquire information critical to successfully resolving their cases.

### Endnotes

1 Davis Vessel, J.D., "Conducting Successful Interrogations", FBI Law Enforcement Bulletin. October, 1998.

2 Arthur S. Aubrey, Jr. and Rudolph R. Caputo, Criminal Interrogation, 3rd ed. (Springfield, IL: Charles C. Thomas, 1986), 37.

3 John MacDonald, M.D. and Lt. David Michaud, The Confession-Interrogation and Criminal Profiles for Police Officers (Denver: Apache Press, 1987), 149.

4 Bert Decker and James Denney, You've Got to be Believed to be Heard (New York: St. Martin's Press, 1992), 34-35.

5 Ibid., 16

6 Miller v. Fenton, 106 S. Ct. 445 (1985).

7 "The Reid Technique of Interview and Interrogation," Advanced Course Study Guide (Chicago: John Reid and Associates, 1989), 23-25.

8 Fredrick Link and Glen Foster, The Kinesic Interview Technique (Riverside, CA: Interrotec Associates, 1989) 56.

9 Los Angeles Police Department Interview and Interrogation School Course Study Guide, undated, 6.

10 Supra note 1. Vessel states, "To the author's knowledge, no interrogation publication claims higher than a 90 percent success rate. None of the hundreds of interrogators interviewed by the author over the past ten years admits to a success rate higher than 90 percent. Retired FBI polygrapher Ronald W. Hilley advised that federal polygraphers maintain a "...65 to 70 percent confession rate, on the whole."

11 Stanton E. Samenow, Inside the Criminal Mind (New York: Times Books, 1984), 180-181.

# STATE POLICE LABORATORIES

New features are making forensic science services more efficient

Contributed by Eric Lawrence  
ISP Forensic Analysis Director

Demand for forensic science services, particularly in the area of DNA analysis, has grown dramatically over the past few years for the Indiana State Police (ISP) Laboratory Division. In 1999, the ISP Laboratory System received 750 DNA cases, and it is projected that the number of these types of cases received in 2006 could grow to nearly 2,000.

In an effort to meet the increasing demand for quality service in a timely manner, and as part of a comprehensive initiative and cost savings project, the State of Indiana has brought together the state's primary laboratory facilities focusing on criminalistics, health, and safety; the Indiana State Police, Indiana State Department of Health and Indiana Department of Toxicology. The overall goal of the project is to provide a dynamic state-of-the-art facility that enhances services provided to the citizens of the State of Indiana. Co-location of these entities at 550 West

end of January 2007. Support from three regional laboratories; Fort Wayne, Lowell, and Evansville, will help to minimize disruption of services during the moving process.

Also in an effort to better serve its client agencies and provide efficient services, the ISP Laboratory has initiated, effective October 1, 2006, a more responsive DNA Case Management Program.

Due to the large demand for DNA related analytical services, the Laboratory Division initially will only accept those items of potentially the most probative value. Screening the number of items of evidence initially submitted will allow the Biology Unit to better manage the available resources required for the analysis and testing of biological samples. These guidelines are being implemented in order to reduce the backlog, reduce turn around time and increase the number of Combined DNA Indexing System (CODIS) searches. Higher throughput into CODIS will result in a proportionate increase in the number of violent offenders identified, thus proactively intervening in serial/repetitive offenses. Additionally, adherence to this plan will allow the Biology Unit to provide forensic DNA testing in a quality, timely and balanced manner to all laboratory contributors.



*The new downtown Indianapolis laboratory facilities*

16th Street, Indianapolis, offers opportunities for the exchange of knowledge and ideas across disciplines and will create a fertile environment for problem solving and scientific investigation. Efficiencies of shared spaces have been an important part of the design process of the laboratory complex with a span encompassing nearly 190,000 square feet of usable space.

The ISP Laboratory Division has also begun the process of hiring and training additional forensic scientists for various disciplines. Previously, the lack of sufficient laboratory space did not allow for a growth in staff.

They anticipate the construction of the new facility will be completed by the end of November 2006, with the move in completed by the